

REMARKS

Claims 1-20 were originally filed in the present application.

Claims 1-20 were previously cancelled.

Claims 21-40 were previously added in the present application.

Claims 1-20 were rejected in the April 12, 2006 Advisory Action.

No claims have been allowed.

Claims 21-40 remain in the present application.

Reconsideration of the claims is respectfully requested.

Applicants note one minor typographical error in Applicants' Reply under 37 C.F.R. §1.116 dated March 24, 2006 in which Claim 40 was erroneously designated as "ORIGINAL." This is incorrect. Claim 40 should have been designated as "NEW." Applicants have corrected this error and now designate Claim 40 as "PREVIOUSLY PRESENTED" in the present Supplemental Reply.

In *pertinent* part, the following summarizes the procedural posture of the present application. Applicants filed a Reply under 37 C.F.R. § 1.111 on November 7, 2005. The Examiner issued a Final Office Action dated January 25, 2006 rejecting Claims 1-20. In response, Applicants filed a Reply under 37 C.F.R. §1.116 on March 24, 2006 cancelling Claims 1-20 and adding new Claims 21-40. The Examiner then issued an Advisory Action dated April 12, 2006 indicating that Applicants' March 24, 2006 Reply would not be entered. In response, Applicants now submit this Supplemental Reply under 37 C.F.R. §1.114 and a Request for Continued Examination filed concurrently herewith that requests that the March 24, 2006 Reply be entered.

Applicants respectfully disagree with some of the statements made by the Examiner in the April 12, 2006 Advisory Action. Among other things, the Examiner indicated that the proposed amendments in Applicants' March 24, 2006 Reply raise new issues that would require further consideration and/or search. Specifically, the Examiner contends that the newly presented Claims 21-40 change the scope of the previously presented claims and therefore would require further search and consideration. The Examiner therefore refused to enter Applicants' March 24, 2006 Reply. Applicants respectfully disagree and request that the March 24, 2006 Reply be entered.

Applicants cancelled original Claims 1-20 without traverse and added new Claims 21-40 in order to separate claim limitations directed to base stations from claim limitations directed to mobile stations. However, all of the limitations in new Claims 21-40 appeared in some form in the original Claims 1-20. No new claim limitations were added that would require a search. As the Examiner is no doubt aware, if a claim originally recited elements A, B, C and D and is later amended to remove elements C and D, the amended claim reciting elements A and B does not require a new search because no new elements were added. Similarly, if one of Applicants' claims recited some elements directed to a base station and some other elements directed to a mobile station, amending such a claim to remove the mobile station elements and to put them into a different claim would not add new matter and would not require a new search.

Also, in the April 12, 2006 Advisory Action, the Examiner indicated that Applicants' March 24, 2006 request for reconsideration had been considered but it did not place the application in condition for allowance. Specifically, the Examiner contended that the features upon which

Applicants rely are not recited in the rejected claims. Applicants respectfully disagree and offer the following arguments in support.

In Section 2 of the January 25, 2006 Office Action, the Examiner rejected Claims 1-20 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Publication No. 2003/0129980 to *Sayeedi* (the “Sayeedi reference”) in view of U.S. Patent Publication No. 2004/0063451 to *Bonta, et al.* (the “Bonta reference”). Applicants respectfully disagree. Although Claims 1-20 are cancelled herein and thus the §103 rejection is now moot, Applicants have addressed the cited references below.

For example, Applicants direct the Examiner’s attention to Claim 1 (as amended in Applicants’ Reply dated November 7, 2005), which contains the following unique and novel limitations (with emphasis):

Claim 1 (Canceled) For use in a wireless communication system comprising a mobile switching center, at least two base stations and at least one mobile station, an apparatus for providing mobile station registration in a traffic channel, wherein the apparatus comprises:

at least one base station that is capable of receiving in a traffic channel at least one mobile station registration message initiated from at least one mobile station; and

at least one mobile station that is capable of sending in a traffic channel at least one mobile station registration message to least one base station before the mobile station registration is complete.

Similarly, Claim 21 contains the following unique and novel limitations (with emphasis):

Claim 21 (Previously Presented) An apparatus for providing mobile station registration, wherein the apparatus comprises:

a base station capable of receiving a registration message in a traffic channel from a mobile station, wherein the registration message is initiated from the mobile station before the mobile station registration is complete.

The Sayeedi reference discloses a system for registering a mobile station wherein the registration is *initiated by a radio access network (RAN)*. Sayeedi reference, Abstract and ¶¶ [0013].

There is no teaching or suggestion within the Sayeedi reference of providing mobile station registration of any kind within a traffic channel. Yet, the Examiner on several occasions contends that this feature was old and well known in the art at the time of the invention and offers the Bonta reference in support. Applicants respectfully disagree. Moreover, contrary to the Examiner's contention in the April 12, 2006 Advisory Action, the features upon which Applicants rely in support of its arguments against the §103 rejection are indeed recited in the rejected claims as shown above.

The Bonta reference discloses a system for relaying information within an ad-hoc communication system. Bonta reference, ¶¶ [0016]. The Bonta reference teaches that when a master mobile unit is contacted by a slave mobile unit (i.e., an out-of-coverage mobile unit), the second mobile unit proactively obtains knowledge of each immediate neighbor's identification and possible ad-hoc network routes to those neighbors. *Id.* at ¶¶ [0016] and [0028]. The slave mobile unit synchronizes with the master mobile unit and transmits a registration proxy message to the master relay node using an ad-hoc relay frame at the prescribed timeslot designated by the master mobile unit. *Id.* at ¶ [0028]. If the call processing state of the relay is "idle," it will create a registration for delivery via the cellular access channel (RACH). *Id.* at ¶ [0030]. If, on the other hand, the call

processing state of the relay is “conversation” (i.e., it already has a traffic channel assignment), then a unique registration message will be prepared for delivery via the traffic channel. *Id.* at ¶ [0031].

Neither the Sayeedi reference or the Bonta reference, taken individually or in combination, teaches or makes obvious, for example, a base station capable of receiving a registration message from a mobile station in a traffic channel, wherein the registration message is initiated from the mobile station before the mobile station registration is complete, as generally required by cancelled independent Claims 1, 8 and 15 and by newly added independent Claims 21, 28 and 35. Moreover, there is no suggestion or motivation within the Sayeedi reference or the Bonta reference to prompt one of ordinary skill to selectively combine and *seek out* still other discrete elements as required by cancelled independent Claims 1, 8 and 15 and by newly added independent Claims 21, 28 and 35. Accordingly, cancelled Claims 1, 8 and 15, as well as newly added Claims 21, 28 and 25, and their respective dependents, are patentably distinguishable over the art cited and are thus allowable. Again, contrary to the Examiner’s contention in the April 12, 2006 Advisory Action, the features upon which Applicants rely in support of its arguments against the §103 rejection are indeed recited in the rejected claims.

SUMMARY

For the reasons given above, Applicants respectfully request reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

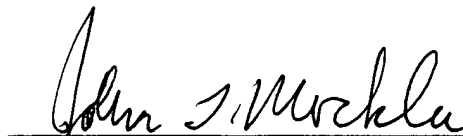
Respectfully submitted,

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